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SOCIAL, HUMANITARIAN AND HUMAN RIGHTS QUESTIONS: REPORTS OF SUBSIDIARY BODIES, CONFERENCES AND RELATED QUESTIONS

NARCOTIC DRUGS

Summary of the report of the International Narcotics Drug Control Board for 1994

1. In accordance with the Single Convention on Narcotic Drugs, 1961, the International Narcotics Control Board (INCB) is required to prepare an annual report on its work and such additional reports as it considers necessary. An analogous obligation is set fourth in the Convention on Psychotropic Substances of 1971. The report must be submitted to the Economic and Social Council through the Commission on Narcotic Drugs. In each year's annual report, the Board provides a comprehensive survey of the current drug control situation in the world and recommends action that it considers appropriate.

2. The special subject of the overview to the report of INCB for 1994 was the evaluation of the effectiveness of the drug control treaties. This was one of the contributions which the Board decided to make in response to General Assembly resolution 48/12 , in which the Assembly requested the Commission on Narcotic Drugs, with the support of the United Nations International Drug Control Programme (UNDCP) and in cooperation with the International Narcotics Control Board, to monitor and evaluate action at the national and international levels in implementing the international drug control instruments with a view to identifying areas of satisfactory progress and weakness. In its evaluation, the Board worked closely with the Executive Director of UNDCP and the Commission on Narcotic Drugs, deciding to devote the overview of its report to an evaluation of the effectiveness of the drug control treaties and to consider the subject in further detail in a special supplement to the report.

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3. The Board noted that the evaluation of treaty implementation, based on data furnished by Governments and on its own monitoring of Governments' efforts, was the very nature of its work.

4. The Board, in its evaluation of the working of the treaties, did not present all their achievements, although it highlighted some of their successes, in particular in preventing the diversion of narcotic drugs and psychotropic substances in schedule II of the 1971 Convention. The Board identified priority areas in which Governments might step up their implementation. One area was precursor control and other matters covered by the 1988 Convention. Another was strategies to ensure the supply of narcotic drugs for medical purposes, which, the Board recalled, was one of the objectives of the treaties. The Board also identified areas that deserved more research, such as the linkages between inadequate national licit drug distribution systems and drug abuse.

5. Overall, the Board considered that it was not necessary to substantially amend the treaties, in particular expressing doubts about the feasibility of additional, more detailed and binding treaty provisions on demand reduction. However, the Board noted with interest discussions on a possible new convention against the laundering of money derived from organized crime activities, including drug trafficking.

6. Among the possible amendments identified by the Board for further consideration by Governments were the strengthening of measures to control poppy straw, the classification of cannabis products according to their potency, and solving the long-standing contradiction between the drug control treaties and some national legislations regarding traditional forms of coca leaf use, based on adequate scientific evaluations.

7. The Board also identified a number of other amendments that the Commission on Narcotic Drugs and the Economic and Social Council might consider making to the treaties, including adopting simpler scheduling procedures under the Convention on Psychotropic Substances, strengthening treaty-based control measures over psychotropic substances in line with Council resolutions, streamlining reporting procedures and introducing a simplified estimates system for synthetic narcotic drugs.

8. The Board noted that the drug control treaties were the legislative basis of the international drug control system. Their genesis and development were closely linked to national and international responses to changing drug abuse and trafficking situations. Each of the provisions of the three international drug control conventions had been the outcome of various national or international drug control experiences, of the exchange of views and expertise, and of compromises between various national situations and priorities. The three treaties were mutually supportive and complementary. They had one main goal, one philosophy: to prevent the non-medical use of drugs. That goal was motivated by humanitarian considerations, such as protecting the individual from the slavery of drug dependence and society from the irresponsible behaviour of intoxicated individuals.

9. The Board emphasized that universal adherence, proper implementation of treaty provisions at the national and international levels, and the rapid

adaptation of the drug control system to changing drug abuse and trafficking situations were the necessary conditions for ensuring the efficacy of the main international drug control conventions.

10. As of 1 November 1994, 149 States were Parties to the Single Convention on Narcotic Drugs of 1961, with 21 of them Parties to the Convention only and 128 of them Parties to the Convention as amended by its 1972 Protocol. One hundred thirty-two States were Parties to the Convention on Psychotropic Substances of 1971. As to the United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988, 103 States and the European Union were Parties, representing about 54 per cent of all countries in the world.

11. In chapter II of its report the Board expressed the hope that the States concerned would not only take speedy action to become Parties to the international conventions but would also enact the necessary national legislation and regulations to fully comply with those conventions. The Board also commented on compliance of the different countries with the reporting requirements set by the three conventions, and emphasized the importance of submitting statistical returns and other information for the efficacy of the national and international drug control system.

12. As to the Single Convention on Narcotic Drugs of 1961, the Board examined trends in the demand for opiates and supply of opiate raw materials, concluding that in 1995 production was expected to exceed consumption by about 28 tons. The Board reported on its consultations with the Government of India regarding the level of its stocks of opium.

13. As to substances controlled under the Convention on Psychotropic Substances of 1971, diversions of those contained in schedules III and IV were continuing. The Board appreciated the fact that most Governments had already established effective mechanisms of export control for those substances. Many Governments were also consulting the Board in cases where there were doubts over the legitimacy of import orders, and the Board gave examples of successes in preventing diversion through such cooperation. However, the Board also highlighted diversion involving countries with non-existent or weak export controls. Diversion and abuse of benzodiazepines, due to weak controls over trade in those substances, were of particular concern to the Board.

14. As to the Convention Against Illicit Traffic of 1988, diversion and smuggling of precursors had continued and had been reported world wide. The Board, in cooperation with Governments, had detected cases of diversion and attempted diversion of large quantities of ephedrine, a substance that had been included in table I of the 1988 Convention because of its frequent use in illicit manufacture of methamphetamine. The Board reiterated its request to all states that had not already done so to become Parties to the 1988 Convention, as well as its request to all States, including those not Parties to the Convention, to ensure universal application of the provisions of the 1988 Convention. It also invited all States to review their existing precursor controls and to consider taking further action to prevent diversion.

15. In chapter III of the report, the Board presented some of the conclusions of its missions to Belarus, Belgium, Brazil, Cambodia, Denmark, China, India,

Italy, the Lao People's Democratic Republic, Lebanon, Luxembourg, Nigeria, Spain, Switzerland, Turkey and Venezuela.

16. In Africa, the Board pointed to the continuing transit traffic of heroin and cocaine and a worsening abuse situation. New routes were developing for cocaine, including Angola, Namibia and South Africa. While abuse of amphetamine, amphetamine-type stimulants and sedatives were widespread, heroin and cocaine abuse were on the increase within certain segments of urban populations. Africa was an important supplier of cannabis for the rest of the world, with important shipments being sent from Morocco and, increasingly, from sub-Saharan Africa. Comprehensive intervention and drug control strategies were needed to avoid an escalation of the drug problem in Africa and the Board called upon Governments and the international community to increase their support to African Governments.

17. The geographical location and limited interception capacities of the countries of Central America and the Caribbean were increasingly being exploited by international drug traffickers for the transshipment of cocaine and (in the case of the Caribbean) cannabis destined for North America and Europe. Transit traffic had fostered growing abuse of cocaine, including crack, in Central America as a whole. Ready availability of preparations containing psychotropic substances, due to weak controls over their distribution, had led to increasing abuse of hypnotics, sedatives and anxiolytics, particularly benzodiazepines. The Board welcomed the establishment by Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua and Panama of a permanent Central American commission for the eradication of illicit production, traffic and abuse of narcotic drugs and psychotropic substances.

18. In North America, the Board referred to the gradual elimination of trade barriers between Canada, Mexico and the United States of America under the North American Free Trade Agreement (NAFTA), which had entered into force the previous year. The Board expressed its confidence that enhanced cooperation in the control of shipments of narcotic drugs and psychotropic substances would allow those three countries to prevent any negative side-effects that the free trade agreement might have on drug trafficking. The Board appreciated the comprehensive drug control strategies of those three countries and their key component: demand reduction. In particular, it reported on continuing major drug-related crime and acquired immunodeficiency syndrome (AIDS) problems in the United States of America. Heroin of growing purity was increasingly being seized, crack was reported to be available and abused throughout the United States, and the illicit manufacture, traffic and abuse of methamphetamine continued to pose substantial problems. Crack was also spreading in the urban areas of eastern and central Canada. Cannabis eradication had expanded in Mexico, which supplied a large part of the illicit market in the United States.

19. The Board appreciated that UNDCP had signed a memorandum of understanding with four South American countries (Argentina, Bolivia, Chile and Peru) to improve subregional cooperation in the field of drug control. The Board drew the attention of the Governments of South American countries to the need for effective legislation on the prevention of money laundering. Peru remained the world's largest producer of coca leaves, despite a decrease of its production in 1993. Peru and Bolivia remained the major producers of coca paste, which was

being transformed into cocaine hydrochloride mainly in Colombia and to some extent locally as well. The chemicals necessary for that process continued to be widely available in those countries, and the Government of Colombia was praised for seizing large quantities of chemicals and solvents contained in tables I and II of the 1988 Convention. In addition to the continuing problem of abuse of coca paste mixed with cannabis or tobacco, the abuse of crack was reported in several countries of the region. Abuse of psychotropic substances was on the increase in several countries, partly as a result of insufficiencies in the control of pharmaceutical preparations containing such substances. Illicit opium poppy cultivation was reported in some countries, and the Board stressed that such cultivation, as well as opium production and the manufacture of morphine and heroin, should be prevented by Governments as a matter of high priority.

20. In South-East Asia, where several countries were strengthening their legislative structures, the Board noted with satisfaction the increasing cooperation between China, the Lao People's Democratic Republic, Myanmar and Thailand in alternative development, reduction of illicit drug demand and law enforcement. Money laundering remained a significant problem and the Board encouraged Governments to follow the recommendations of the Financial Action Task Force. Illicit opium poppy cultivation continued, mainly along the borders of Myanmar. Following successes in Thailand in reducing the illicit poppy cultivation and opium production, there had also been a considerable reduction of opium production in some districts of the Lao People's Democratic Republic. Diverse routes had been used for trafficking, such as through Viet Nam and by land through China, but Thailand had remained a major outlet for heroin from the Golden Triangle.

21. Heroin was the main drug of abuse, in particular in Thailand, Singapore and Hong Kong, and opium was also being abused, mainly in rural areas of South-East Asia. Large-scale illicit manufacture of, trafficking in and abuse of methamphetamine were also serious drug problems in the region. Cocaine abuse was emerging in some countries of the region.

22. In South Asia, increasing traffic in and abuse of cannabis had been reported in several countries, and the smuggling of cannabis resin out of Nepal and South-West Asia continued. Clandestine heroin manufacture was on the increase in India. Increasing heroin abuse was being reported throughout the region, particularly in the urban areas of India, Maldives and Nepal. The abuse of cough syrups containing codeine was reported in Bangladesh, Maldives and Nepal. The Board noted with concern that buprenorphine licitly manufactured in India was increasingly being abused in Bangladesh, India and Nepal. The illicit manufacture of methaqualone and the smuggling of that substance into Africa, also remained a major problem.

23. Turning to South-West Asia, the Board drew attention to the increase in drug-related crime, which had accompanied the major socio-economic difficulties faced by member States of the Commonwealth of Independent States in the Caucasus (Armenia, Azerbaijan and Georgia) and Central Asia (Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan). There was an urgent need to increase international assistance to those countries. The spread of the abuse of opiates and ephedrone by injection was a major concern of the authorities of CIS member

States in Central Asia, where about 1 per cent of the population were estimated to be occasional or regular drug abusers. The trafficking route from Afghanistan and Pakistan through the Islamic Republic of Iran to Turkey continued to be the main route for cannabis resin and heroin destined for Europe.

24. A memorandum of understanding had been signed between the Islamic Republic of Iran and Pakistan, with the support of UNDCP, covering the main areas of drug control. The Board hoped that the growing economic cooperation in the region would lead to closer cooperation at the operational level in the fight against drug trafficking. It also called for enhanced demand reduction efforts. Large-scale cannabis cultivation continued in Pakistan and Afghanistan, and the abuse of cannabis and cannabis resin remained a problem in the whole region. Illicit manufacture of heroin also continued, in northern Afghanistan for example, and large quantities of opium and morphine had been smuggled out of Pakistan and Afghanistan into other countries of the region for further processing.

25. In Western Europe, the Maastricht Treaty, which had entered into force in November 1993, had prepared the way for an integrated approach to drug control in Europe and the adoption of specific provisions in the field. The Board welcomed the fact that the European Union action plan to combat drugs for the period 1995-1999 would give special attention to demand reduction. It warned against the consequences of tolerating drug sale and abuse. The Board recognized the importance of harm reduction policies but stressed that they were no substitute for demand reduction policies.

26. In the CIS member States of Europe (Belarus, the Republic of Moldova, the Russian Federation and Ukraine), cannabis and poppy straw were the major locally produced drugs but the illicit manufacture of synthetic drugs (opiates and psychotropic substances) was rapidly increasing. There was also significant transit trafficking. The Board invited the international community to support the efforts of UNDCP to assist those countries.

27. Huge quantities of cannabis and cannabis resin were smuggled out of Africa and West Asia into Europe, where it remained the most abused drug. Record heroin and cocaine seizures had been effected in 1993 in Europe. While several countries had reported a shift from heroin to cocaine abuse, heroin was increasingly being abused in some countries in central and eastern Europe. The abuse of crack was expanding in several countries, and a proliferation of kitchen laboratories for refining cocaine was suspected. The illicit manufacture of methamphetamine had remained a major problem, and expanding illicit markets were being supplied from the Netherlands (80 per cent of seizures) and also from Poland. Clandestine methamphetamine laboratories had been dismantled in the Czech Republic, Germany, the United Kingdom of Great Britain and Northern Ireland, and Ukraine. The Board also drew attention to the need for policies to reduce medically unjustified demand for hypnotics, sedatives and anxiolytics.

28. Countries in Oceania were increasingly being used as transit points and risked becoming centres for laundering profits from illicit drug trafficking. Australia was assisting in revising and harmonizing legislation in the region. Demand-reduction strategies were being implemented in, inter alia, Papua New

Guinea, with the assistance of UNDCP and Australia. The Board expressed its concern about the propagation of cannabis varieties with a very high THC content in Papua New Guinea.